

PATENT  
Attorney Docket No. DIVER1200-3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short                          Art Unit: 1645  
Serial No.: 09/753, 752                          Examiner: Unassigned  
Filed: January 2, 2001  
Title: SCREENING METHODS FOR ENZYMES AND ENZYME KITS

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

In response to the Notice to File Missing Parts of Application mailed May 9, 2001,  
enclosed are:

1. A copy of the Notice to File Missing Parts of Application;
2. An executed Declaration For Patent Application;
3. Power of Attorney by Assignee;
4. Check in the amount of \$420.00; and
5. Return postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <b>July 6, 2001</b> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Name of Person Mailing Paper	<i>Karen DePar.</i>
Signature	<i>Karen DePar.</i> 7-6-01
Date	

In the Application of  
Jay M. Short  
Application Serial No.: 09/753,752  
Filed: January 2, 2001  
Page 2

PATENT  
Attorney Docket No.: DIVER1200-3

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement as the items of information contained in this statement were cited in a communication from a foreign patent office in a counterpart foreign application, the communication being dated April 23, 2002, which is not more than three months prior to the filing of this statement. However, if any fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: 7/18/02

Lisa Haile  
Lisa A. Haile, Ph.D.  
Registration No. 38,347  
Telephone: (858) 677-1456  
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GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133

United States Patent & Trademark Customer No. 28213

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PATENT

Attorney Docket No. DIVER1200-3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jay M. Short  
Serial No.: 09/753, 752  
Filed: January 2, 2001  
Title: SCREENING METHODS FOR ENZYMES AND ENZYME KITS

Art Unit: 1645  
Examiner: Unassigned

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Name of Person Mailing Paper

*Karen DePar*

Signature

*7-6-01*

Date

In re Application of:  
Jay M. Short  
Application No.: 09/753,752  
Filed: January 2, 2001

PATENT  
Attorney Docket No.: DIVER1200-3



The Fee for this Response is calculated as follows:

For	Number Filed		Number Extra Claims	Large Entity Rate	Small Entity Rate	Calculations
Total Claims	3 -20	=	0	x \$18.00	x \$9.00	\$0.00
Independent Claims	2 -3	=	0	x \$78.00	x \$39.00	\$0.00
Multiple Claims				\$260.00	\$130.00	\$.00
Basic Filing Fee				\$710.00	\$355.00	\$355.00
					TOTAL FEE	\$355.00

Enclosed is a check in the amount of \$420.00; which consists of \$355.00 for the filing fee and \$65.00 surcharge fee for missing parts of the application. The Commissioner is hereby authorized to charge any fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Please be advised no sequence listing is submitted herewith in response to the Notice to File Missing Parts. There are no sequences in this application.

Respectfully submitted,

Lisa A. Haile, Ph.D.  
Registration No. 38,347  
Telephone: (858) 677-1456  
Facsimile: (858) 677-1465

Date: July 6, 2001

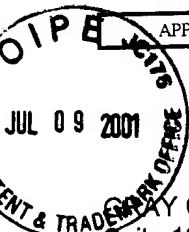
GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1600  
San Diego, California 92121-2189



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/753,752	01/02/2001	Jay M. Short	DIVER1200-3



JUL 09 2001  
 MAY CARY WARE & FREIDENRICH LLP  
 Suite 1600  
 4365 Executive Drive  
 San Diego, CA 92121-2189

CONFIRMATION NO. 1890

FORMALITIES LETTER



\*OC000000006056351\*

Date Mailed: 05/09/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 420.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

07/12/2001 AZERGAI1 00000019 09753752  
 355.00 OP  
 65.00 OP  
 01 FC:201  
 02 FG:205

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE